

**§ 45.15 Other claims procedures and administrative matters.**

(a) *Payment of damages.* In the event damages are awarded, the claimant or the claimant's estate is entitled to payment of those damages.

(b) *Communication through counsel.* If the claimant is represented by counsel, all communications will be through the claimant's counsel.

(c) *Remedies for filing false claims or making false statements.* Remedies available to the United States for filing false claims with Federal agencies or making false statements to Federal agencies and officials are applicable to claims and statements made in connection with claims under this part. Applicable authorities include 31 U.S.C. 3729 and 18 U.S.C. 1001. False claims and claims supported by false statements will be denied.

(d) *Reports to the Defense Health Agency.* As provided in section 2733a(e), not later than 30 calendar days after a Final Determination of medical malpractice or the payment of all or a portion of a claim under this part, a report documenting that determination is sent to the Director, Defense Health Agency to be used for all necessary and appropriate purposes, including those actions undertaken as part of DoD's Clinical Quality Management Program.

(e) *Monitoring claims adjudications under this part.* The General Counsel of the Defense Health Agency will monitor the performance of the claims adjudications structures and procedures under this part, including accounting for the number of claims processed under this part and the resolution of each claim and identifying means to enhance the effectiveness of the claims adjudication process.

(f) *Authority for actions under this part.* To ensure consistency and compliance with statutory requirements, supplementation of the procedures in this part is not permitted without approval in writing by the General Counsel of the Department of Defense. The General Counsel of the Department of Defense, under DoD Directive 5145.01, "General Counsel of the Department of Defense," may delegate in writing authority for making Initial and Final Determinations, and other actions by DoD officials under this part. As used in this part, and at DoD's discretion, "DoD" may include, but is not limited to, Military Departments.

Dated: June 14, 2021.

**Patricia L. Toppings,**

*OSD Federal Register Liaison, Department of Defense.*

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket No. USCG-2021-0390]

**Safety Zones; Annual Event in the Captain of the Port Buffalo Zone**

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Notice of enforcement of regulation.

**SUMMARY:** The Coast Guard will enforce a safety zone located in Federal regulations for a recurring marine event. This action is necessary and intended for the safety of life and property on navigable waters during these events. During each enforcement period, no person or vessel may enter the respective safety zone without the permission of the Captain of the Port Buffalo.

**DATES:** The regulations in 33 CFR 165.939, Table 165.939, entry (a)(1), will be enforced from 9:45 p.m. to 11:15 p.m. on June 18, 2021.

**FOR FURTHER INFORMATION CONTACT:** If you have questions about this notification of enforcement, call or email LCDR William Fitzgerald, Chief of Waterways Management, U.S. Coast Guard Marine Safety Unit Cleveland; telephone 216-937-0124, email [william.j.fitzgerald@uscg.mil](mailto:william.j.fitzgerald@uscg.mil).

**SUPPLEMENTARY INFORMATION:** The Coast Guard will enforce the Safety Zones; Annual Events in the Captain of the Port Buffalo Zone listed in 33 CFR 165.939, Table 165.939, entry (a)(1), in Vermillion, OH, on all U.S. waters within a 420 foot radius of the fireworks launch site located at position 41°25'45" N and 082°21'54" W, (NAD 83) for the Festival of the Fish.

Pursuant to 33 CFR 165.23, entry into, transiting, or anchoring within the safety zone during an enforcement period is prohibited unless authorized by the Captain of the Port Buffalo or a designated representative. Those seeking permission to enter the safety zone may request permission from the Captain of Port Buffalo via channel 16, VHF-FM. Vessels and persons granted permission to enter the safety zone shall obey the directions of the Captain of the Port Buffalo or a designated representative. While within a safety zone, all vessels shall operate at the minimum speed necessary to maintain a safe course.

This notification of enforcement is issued under authority of 33 CFR

165.939 and 5 U.S.C. 552(a). In addition to this notification of enforcement in the **Federal Register**, the Coast Guard will provide the maritime community with advance notification of this enforcement period via Broadcast Notice to Mariners or Local Notice to Mariners. If the Captain of the Port Buffalo determines that the safety zone need not be enforced for the full duration stated in this notification she may use a Broadcast Notice to Mariners to grant general permission to enter the respective safety zone.

**Lexia M. Littlejohn,**

*Captain, U.S. Coast Guard, Captain of the Port Buffalo.*

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**DEPARTMENT OF HOMELAND SECURITY****Coast Guard****33 CFR Part 165**

[Docket Number USCG-2021-0383]

RIN 1625-AA00

**Safety Zone; M/V ZHEN HUA 26 Transit; Everport Container Terminal, San Pedro, California**

**AGENCY:** Coast Guard, Department of Homeland Security (DHS).

**ACTION:** Temporary final rule.

**SUMMARY:** The U.S. Coast Guard is establishing a temporary moving safety zone around the M/V ZHEN HUA 26 while it transits through the navigation channel during its transit to Everport Container Terminal, Berth 227, in San Pedro, California. This safety zone is necessary to protect personnel, vessels, and the marine environment from hazards associated with the arms of three ship-to-shore gantry cranes which will extend more than 200 feet out from the transiting vessel when the arms are lowered, and from the vessel's stability condition due to an air draft greater than 300 feet when the cranes are in the up position. Unauthorized persons or vessels are prohibited from entering into, transiting through, or remaining in the safety zone without permission of the Captain of the Port Los Angeles-Long Beach or a designated representative.

**DATES:** This rule is effective without actual notice from June 17, 2021, through 11:59 p.m. on June 21, 2021. For the purposes of enforcement, actual notice will be from 12:01 a.m. on June 11, 2021, until June 17, 2021.